



NOTICE OF PROTEST HEARING LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that at 9:00 a.m., Friday, June 2, 2023, the Local Agency Formation Commission of Santa Cruz County (LAFCO) will hold a protest hearing regarding the annexation approved by LAFCO on April 5, 2023. The proposed terms and conditions for the proposal are set forth in the LAFCO Resolution No. 2023-08.

“Scotts Valley Water District Sphere Annexation” (LAFCO Project No. DA 22-13): The annexation involves 184 parcels, 81% of those parcels (149 out of 184) are within the District’s sphere boundary. The remaining 35 parcels (19%) are outside the District’s sphere, but 29 of those 35 parcels are already being served by the Scotts Valley Water District (“SVWD”). *What is a sphere boundary?* It determines which public agency is the most logical provider of services. In this case, SVWD has been identified as the most logical provider of water services to the majority of these subject parcels for almost 40 years. The purpose of the annexation is to simply allow for the opportunity to connect into SVWD’s water system, if and only when desired by the affected resident(s), without the need for future LAFCO action or standalone applications from each parcel. *What is LAFCO?* It is the state agency in charge of boundaries for cities and special districts, such as SVWD. This Notice and all related documents (staff report, resolution, maps, etc.) are available on the LAFCO website: <https://santacruzlafco.org>. If you have issues accessing information on the LAFCO website, please contact LAFCO at 831-454-2055.

Why is this happening?

State law requires LAFCO to analyze each public agency at least every five years. LAFCO’s 2022 Countywide Water Service and Sphere Review requested that all water agencies, including SVWD, develop an annexation plan that reflects its existing sphere. After further analysis, SVWD submitted an application to LAFCO in September 2022 to annex areas within its sphere and areas already served by the District.

Am I required to connect to SVWD? Do I automatically become a SVWD customer?

No. The annexation does not require or force residents to abandon their existing water supply and connect to SVWD. On the contrary, the annexation gives the landowners the option to connect now or in the future, if desired.

Will my property taxes go up? Will I incur new costs?

No. The annexation does not financially impact the affected residents. On the contrary, the annexation would save property owners time (up to a year) and money (up to \$5,000 or more) by removing the LAFCO process when considering the connection to SVWD in the future, if desired.

What if this annexation fails and I want to connect to SVWD for water?

State law requires residents to receive approval by LAFCO for annexation before going through the connection process with SVWD. The interested applicant(s) must submit the required material, including but not limited to environmental documents and map & legal descriptions, all of which have various fees and associated costs. The applicant is also subject to LAFCO fees ranging up to \$5,000 per application. On average, the LAFCO process takes 6-8 months to complete but varies. Rather than potentially having 184 standalone applications, the proposed annexation expedites the connection process – resulting in cost savings and time for the residents.

Protest Proceeding

Pursuant to Government Code Section 57000, when the Commission adopts a resolution making determinations regarding a change of organization, affected residents within the proposal area will have an opportunity to voice their opposition during the protest period. During this period, from **May 8 to June 2**, affected residents may submit petitions of opposition. A protest hearing will also be conducted on **Friday, June 2, 2023, at 9:00am**. Instructions on how to participate are available on the LAFCO website: <https://santacruzlafco.org/meetings/>

Who can File a Protest?

Landowners and registered voters within the proposal area may file a written protest using the official [LAFCO Protest Form](#) if they oppose this annexation. Landowners and registered voters must include their name, the address of the land within the proposal area, and the Assessor Parcel Number. Agents submitting a protest on behalf of the landowner/registered voter must attach proper authorization. This may include written consent of the landowner/registered voter, written consent from a trustee of the property placed into a trust, signature authorization or majority shareholder consent of a corporation or LLC, or other suitable documentation. See Government Code Section 56704, 56708, and 56710 for more information.

Where to Get a Protest Form?

If you wish to protest the annexation, you first need to obtain a Protest Form by either:

- Downloading the form from the LAFCO website: <https://www.santacruzlafco.org/forms/> (refer to *Forms 12 and 13*); or
- Contact LAFCO by phone (831-454-2055) or email (info@santacruzlafco.org) to have a form mailed to you.

How to Submit Protest Form?

Petitions of opposition can be submitted in two ways:

- In person at the LAFCO office prior to the conclusion of the protest hearing on June 2, 2023. The LAFCO office is located at **701 Ocean Street, Room 318-D, Santa Cruz, CA 95060**; or
- By mail addressed to LAFCO at 701 Ocean Street, Room 318-D, Santa Cruz, CA 95060. *If your mailed protest form is postmarked by June 2, 2023, and received by LAFCO within four (4) days of a June 2, 2023 postmark, we will process, verify, and count that protest.*

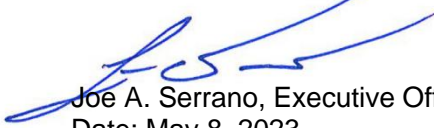
The written protest must be signed and dated during the official protest period, which begins on May 8, 2023, and ends on June 2, 2023. Any protest submitted without a date, bearing a date prior to May 8, 2023, received in-person after the conclusion of the Protest Hearing, or postmarked after June 2, 2023 and not received by LAFCO within four (4) days of a June 2, 2023 postmark, shall be disregarded for purposes of determining the value of any written protests. Protest cannot be accepted by fax or email.

How will the Protest be Evaluated?

Within 30 days following the conclusion of the Protest Hearing, the Executive Officer will make a determination on whether the annexation is terminated or approved, as follows:

- **Approve** the proposal if written protest is less than 25% of the landowners and/or registered voters;
- **Conduct** a special election if written protest is more than 25% but less than 50% of the landowners and/or registered voters;
- **Terminate** the proposal if written protest is received from landowners who own more than 50% of the total value within the reorganization area; or
- **Terminate** the proposal if written protest is received from registered voters who reside in the reorganization area reaches beyond 50%.

A resolution, finalizing the protest results, will be considered by the Commission during the June 14, 2023 LAFCO Meeting. If you have any questions regarding this Notice, please contact the LAFCO office at 831-454-2055 or by email at info@santacruzlafco.org.


Joe A. Serrano, Executive Officer
Date: May 8, 2023